

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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2009 OCT 28 A 11: 35

William Howard Rutland, III, #09030325,
a/k/a William H. Rutland, III,

Plaintiff,

v.

Rebecca L. Wenrich, Nurse,

Defendant.

Civil Action No. 8:09-2430-SB

ORDER

This matter is before the Court upon the Plaintiff's pro se complaint filed pursuant to 42 U.S.C. § 1983. By local rule, the matter was referred to a United States Magistrate Judge for preliminary determinations.

On September 24, 2009, United States Magistrate Judge Bruce Howe Hendricks issued a report and recommendation ("R&R") analyzing the Plaintiff's complaint and recommending that the Court dismiss the Plaintiff's complaint without prejudice and without issuance and service of process for failure to state a claim and because the claims raised in this complaint are being addressed in a separate suit filed by the Plaintiff. Attached to the R&R was a notice advising the Plaintiff of his right to file specific, written objections to the R&R within ten days of the date of service of the R&R. To date, no objections have been filed.¹


Absent timely objection from a dissatisfied party, a district court is not required to

¹ The Plaintiff recently submitted a letter requesting information on all of his cases (of which there are at least 15). In response, the Clerk's Office sent the Plaintiff a list of the cases indicating which cases are open and which are closed as well as the deadlines for filing responses to motions and/or objections to the R&R. A copy of the Plaintiff's letter as well as the Clerk's response was filed in all of the Plaintiff's open cases.

review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriners Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Plaintiff did not file any specific, written objections, the Court need not conduct a de novo review of any portion of the R&R. Accordingly, the Court hereby adopts the Magistrate Judge's R&R (Entry 11) as the Order of this Court, and it is

ORDERED that the Plaintiff's complaint is dismissed without prejudice and without issuance and service of process.

AND IT IS SO ORDERED.


The Honorable Sol Blatt, Jr.
Senior United States District Judge

October 28, 2009
Charleston, South Carolina

